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Attorneys for Plaintiff
CHONG'S PRODUCE, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CHONG'S PRODUCE, INC.

Case No. C-09-01013 JW (PVT)

Plaintiff,

**NOTICE OF DISMISSAL BY
STIPULATION**

v.

PREMIUM FRESH FARMS, LLC, a California
limited liability company; EMMITT PFOST, an
individual; SALVADOR P. TARANTINO, an
individual; PAUL E. DUNHAM, an individual;
PDP ASSOCIATES, LLC, a California limited
liability company; and AG HARVESTING &
TECHNOLOGIES, LLC, a California limited
liability company;

Defendants.

PLEASE TAKE NOTICE that an agreement has been reached between Plaintiff Chong's Produce, Inc. and the defendants Premium Fresh Farms, LLC, Emmitt Pfof, PDP & Associates, LLC, and AG Harvesting & Technologies, LLC for a full and final settlement of this matter. Plaintiff Chong's Produce, Inc. hereby request that the action is dismissed, each party to bear their own costs and attorney's fees.

The Court terminates any remaining pending deadlines, hearings or motions. The Clerk shall close this file.

Dated: March 17, 2010

James Ware
United States District Judge

PRATT AND ASSOCIATES

By: _____

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Telephone: (831) 754-4400
Facsimile (831) 754-1201

Attorneys for Defendants Premium Farm
Fresh, LLC and AG Harvesting &
Technologies, LLC

EMMITT PFOST

Signature: _____

Print Name: _____

Date: _____

On behalf of himself and PDP & Associates,
LLC

Pratt & Associates

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Fresh, LLC and AG Harvesting &
Technologies, LLC

EMMITT PFOST

Signature: _____

Print Name: _____

Date: _____

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By: _____

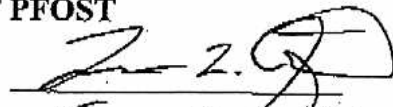
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Attorneys for Plaintiff

Attorneys for Defendants Premium Farm
 Fresh, LLC and AG Harvesting &
 Technologies, LLC

EMMITT PFOSTSignature: Print Name: Emmitt PfofDate: 2/26/10**Pratt & Associates**

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CASE NAME: Chong's Produce, Inc. v. Premium Fresh Farms, et al.
Case Number: C-09-01013 JW (PVT)

PROOF OF SERVICE

I am a citizen of the United States. My business address is The PruneYard Tower I, 1901 South Bascom Avenue, Ste. 350, Campbell, CA 95008. I am employed in the county of Santa Clara where this service occurs. I am over the age of 18 years and not a party to the within cause.

On March 11, 2010 I served the following documents described as:

NOTICE OF DISMISSAL BY STIPULATION

- ☒ **BY MAIL:** I am readily familiar with my employer's normal business practice of collection and processing of correspondence for mailing. Under that practice, correspondence is deposited with the U.S. Postal Service that same day in a sealed envelope(s) with postage thereon fully prepaid at Campbell, California, in the ordinary course of business.
- ☐ **BY FAX:** I served said document(s) by transmitting via facsimile from facsimile number (408) 369-0752 to the facsimile number(s) set forth below, or as stated on the attached service list, on this date before 5:00 p.m. A statement that this document was successfully transmitted without error is hereby attached to the Proof of Service.
- ☐ **BY OVERNIGHT DELIVERY:** I caused such envelope(s) to be delivered on the same day to an authorized courier or driver or to a regular box or other facility regularly maintained by **FEDERAL EXPRESS** with delivery fees provided for, addressed to the person(s) on whom it is to be served.

on the interested party(ies) in this action addressed as follows:

- ☐ **STATE:** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- ☒ **FEDERAL:** I declare that I am employed in the office of a member of the bar of this Court whose direction of the service was made. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Emmitt Post (In Pro Per) & PDP & Associates, LLC 9 Santa Lucia Avenue Salinas, CA 93908 Tel: (831) 262-8055	Defendants
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Executed on March 11, 2010, at Campbell, California.

/s/ Emily A. Khasin
Emily A. Khasin

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

CHONG'S PRODUCE, INC.,

Plaintiff,

v.

PREMIUM FRESH FARMS, LLC., ET AL.

Defendant.

Case Number: CV09-01013 JW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on March 17, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Emmitt Pfost
9 Santa Lucia Avenue
Salinas, Ca 93908

Dated: March 17, 2010

Richard W. Wieking, Clerk
By: Elizabeth C. Garcia, Deputy Clerk